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**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	)	
	)	Chapter 11
DELPHI CORPORATION, et al.,	)	Case No. 05-44481 (RDD)
	)	Jointly Administered
Debtor.	)	
	)	
	)	
Delphi Corporation, et al.,	)	
	)	
Plaintiffs,	)	
	)	Adversary Proceeding No. 07-02540-rdd
v.	)	
	)	
Owens Corning,	)	
	)	
Defendant.	)	

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**OWENS CORNING'S RENEWED MOTION TO DISMISS**

On May 13, 2010 Owens Corning filed its *Joinder Of Owens Corning In Replies Of Other Preference Defendants To Plaintiffs' Omnibus Response In Opposition To Defendants' Motions To: (A) Vacate Certain Prior Orders Of The Court; (B) Dismiss The Complaint With Prejudice; Or (C) In The Alternative, Dismiss The Claims Against Certain Defendants Named In The Complaint; Or (D) In The Alternative, Require Plaintiffs To File A More Definite Statement.* Owens Corning renews the Motion to the extent it relies on the Debtor's failure to serve or

otherwise notify Owens Corning of its Supplemental Motion Pursuant to Fed. R. Bankr. P. 7004(a) and 9006(b)(1) and Fed. R. Civ. P. 4(m) to Extend Deadline to Serve Process for Avoidance Actions Filed in Connection with Preservation of Estate Claims Procedures Order.

Owens Corning supplements the above-referenced Motion with the following facts that support its Motion:

1. Delphi Corporation and certain of its subsidiaries and affiliates (“Delphi”) filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code on October 8 and October 14, 2005.

2. On August 6, 2007, about two months before the 2-year limitations period for potential avoidance actions under 11 U.S.C. §546(a) was complete; Delphi filed its Preservation of Estate Motion [Docket No. 8905]. Owens Corning was not provided with notice of the Preservation of Estate Claims Motion.

3. One September 29, 2007, Delphi opened an adversary proceeding which allegedly contained a sealed Complaint (the “Complaint”) against Owens Corning.

4. On or about December 10, 2007, Delphi filed its First Amended Joint Plan of Reorganization [Docket No. 11386] (the “Confirmed Plan”) which was confirmed by Court Order dated January 25, 2008 [Docket No. 12359] (the Confirmation Order”). The Confirmed Plan provided for payment in full to unsecured creditors of Delphi. Actions sought to be retained by Delphi under the Confirmed Plan were set forth in its Exhibit 7.24. No reference to Owens Corning or the Complaint was included in Exhibit 7.24.

5. Owens Corning was provided with no notice of Delphi’s Extension of Avoidance Action Service Deadline Motion [Docket No. 12922], filed on or about February 28, 2008.

6. Owens Corning was provided with no notice of Delphi's Post Confirmation Extension of Avoidance Action Service Deadline Motion [Docket No. 13361], filed on or about April 10, 2008.

7. Owens Corning was provided with no notice of Delphi's Supplemental Post Confirmation Extension of Avoidance Action Service Deadline Motion [Docket No. 18952], filed on or about October 2, 2009.

8. Delphi's Complaint against Owens Corning, seeking avoidance and recovery of alleged transfers pursuant to 11 USC §§547 and 550 was served April 5, 2010.

9. Owens Corning did not receive notice of the Fourth Extension Motion, nor any of the Reorganized Debtors' related motion that were filed prior to the Fourth Extension Motion. Owens Corning also did not receive notice of the disclosure statement. Accordingly, Owens Corning submits the Affidavit of Karen Sprenger In Support Of Objection Of Owens Corning To Reorganized Debtors' Motion For Leave To File Amended Complaints And In Support Of Motions To Dismiss Adversary Proceedings on behalf of Owens Corning, attached hereto as Exhibit 1 and requests that the Reorganized Debtors' Motion to Amend be denied as to Owens Corning on a final basis.

Respectfully submitted,

July 12, 2010

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